

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

DATE: Feb 23, 2005

CLERK'S MINUTES OF HEARING

HEARING BEFORE: SPECIAL MASTER VICKIE L. GABIN

CASE NAME & NUMBER: STATE OF N.M. v. ARAGON, 69CV07941-AA-ACE

CHAMA ADJUDICATION, SECTIONS 3, 5 & 7

DATE OF HEARING: FEBRUARY 10, 2005 TIME: 10:00 a.m.

COUNSEL:

PLAINTIFF:

EDWARD G. NEWVILLE, OSE

DAVID W. GENLERT, USDOJ

DEFENDANTS:

MARY HUMPHREY

FRED WALTZ

JOHN UTTON, SUSAN JORDAN

NOTES: RE: Order Setting Status Conference (# 7703 filed 1-13-05)

Status conference was held as scheduled in the City Council Chambers in Chama, N.M. Matters on the Agenda included:

- 1) General status of the adjudication of Sections 3, 5 & 7;
- 2) Proposed Procedural and Scheduling order for federal non-Indian claims: discussion of service to and intervention by acquiesced and/or acquiesced Acquis; order possibly prejudicial to claims in other sections; pending U.S. claims under Wildwater Act. These points to be clarified in proposed order;
- 3) Proposed scheduling and procedural order for adjudication of consumptive irrigation requirements; OSE attorney to prepare draft order;

COURT REPORTER: NONE

OTHERS IN ATTENDANCE:
SEE PAGES 3+4

7769

- 4) Proposed scheduling order for resolution of exo claims, other matters in Section 2; Special Master instructed opposing Counsel to meet with Court's Data Manager and to prepare a proposed scheduling order to present at next general status conference;
- 5) Status of adjudication of State law-based rights of Jicarilla Apache Nation; Counsel for Jicarilla reported substantial agreement between client and State; Counsel is to prepare motion to amend procedural order & proposed order;
- 6) Status of litigation on disputed subjects: CHRU-004-0039 & CHRU-003-0001: Counsel for ASG is to prepare PTO; CHRB-002-0001 and CHRB-002-0002: Counsel for ASG is to prepare requiring Defendants to comply with legal and adjudication process - to file proper motions and answers;
- 7) Other relevant matters: El Barroco & Ranchitos Ditches - Guadalupe re: raising water
- 8) Next status conference: Tuesday, April 12 in Santa Fe; Agenda:
 - a) Mundy & Garcia pretrial conf CHRB-002-0002 & CHRB-002-0001
 - b) Progress on Section 2
 - c) CIR - report on reaching agreement on methodology
 - d) Report of parties can reach agreement on US Wild & Scenic Rms
 Order setting conference will be filed by mid-March

CHAMA ADJUDICATION

State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE
Sections 3, 5 & 7 General Status Conference

Thursday, February 10, 2005

ATTENDANCE

Please Print

NAME	ADDRESS	ZIP CODE	TELEPHONE
Robert A. Martinez	P.O. Box 12, Los Ojos	87551	588-7346
Fernando Salazar		87551	588-7346
Medardo Sanchez, Jr.	P.O. Box 96, Los Ojos	87551	588-7858
Hilario Rubio - OSE	P.O. Box 25102, Santa Fe	87504	827-3822
Miguel R Sanchez	P.O. Box 131, Los Ojos, N.M.	87551	505-756-2463
Cleo C. Sanchez	Box 131, Los Ojos, N.M.	87551	756-2463
Ruby S. Chacon	PO Box 163, Gallina, NM	87017	638-5386
JAMES QUINTANA	OSE SANTA FE		827-4208
Mak Salazar	OSE Santa Fe		827-3864
CARIS RODRIGUEZ	OSE SANTA FE		827-6113
Joe Garcia	P.O. Box 90398, Alb. NM		298-0017

Please See Next Page

CHAMA ADJUDICATION

State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE

Sections 3, 5 & 7 General Status Conference

Thursday, February 10, 2005

ATTENDANCE

Please Print

NAME	ADDRESS	ZIP CODE	TELEPHONE
------	---------	----------	-----------

Don Diego Gonzalez	10 S. 6th Pena Blanca NM	87041	505 465-0360
--------------------	-----------------------------	-------	--------------

James W. Mundy	HC 75 Box 81 Chama	87520	505-756-2403
----------------	--------------------	-------	--------------

Please See Next Page